

## **REMARKS**

Claims 1-6 and 8-21 are pending in the present application. By this amendment, claims 1-6, 12-13, and 16-18 are amended, and claim 7 is canceled without prejudice or disclaimer. Additionally, claim 21 is added. Applicants respectfully request reconsideration of the present claims in view of the above amendments and following remarks.

### **I. Formal Matters**

#### **Interview Summary**

Applicants thank Examiner Zhao for the telephonic interview that occurred between Examiner Zhao and the undersigned, Jodi Hartman, on January 24, 2008. During the interview, the double patenting rejection was discussed. In particular, the undersigned noted that the double patenting rejection is improper because references were used to make the rejection that do not have the same inventive entity as the current application, do not have a common inventor with the current application, are not assigned to a common assignee as the current application, and did not result from activities undertaken within the scope of a joint research agreement with the current application. Examiner Zhao noted that he would consider this argument.

In addition, the undersigned discussed claim amendments similar to those illustrated above regarding claim 1 and discussed the deficiencies of the art used to reject claim 1. Examiner Zhao noted that he would consider the amendments and that such amendments would likely require a new search.

### **II. Double Patenting Rejection**

#### **A. Claims 1-9, 11-14, and 18-19**

Claims 1-9, 11-14, and 18-19 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6, 10-12, 16, and 18-20 of co-pending Application No. 10/674,995 (hereinafter “‘995 application”) in view of United States Patent Publication No. 2002/0191952 to Fiore et al. (hereinafter “Fiore”) and further in view of United States Patent Publication No. 2003/0058341 to Brodsky et al. (hereinafter “Brodsky”) and United States Patent No. 7,081,817 to Zhevelev et al. (hereinafter “Zhevelev”).

As noted above, claim 7 is canceled without prejudice or disclaimer, rendering this rejection moot with regard to claim 7. This rejection is respectfully traversed.

As discussed in MPEP §804(I)(B), a provisional double patenting rejection may be issued if “the examiner becomes aware of two co-pending applications that were filed by the same inventive entity, or by different inventive entities having a common inventor, and/or by a common assignee, or that claim an invention resulting from activities undertaken within the scope of a joint research agreement as defined in 35 U.S.C. 103(c)(2) and (3), that would raise an issue of double patenting if one of the applications became a patent.” Applicants respectfully assert that neither Fiore, Brodsky, nor Zhevelev was filed by the same inventive entity as the current application, has an inventor in common with the current application, is assigned to a common assignee as the current application, or resulted from activities undertaken within the scope of a joint research agreement regarding the current application.

In particular, the inventors of Fiore are John T. Fiore, Stephen Book, and Wayne L. Kilmer, unlike the inventors of the current application, who are Barrett Morris Kreiner and Joseph E. Page Jr. Further, the Assignee for Fiore is Monitoring Technology Corporation, unlike the Assignee for the current application which is BellSouth Intellectual Property Corporation now doing business as AT&T Delaware Intellectual Property, Inc. Further, the inventors of Brodsky are Tomas Brodsky and Serhan Dagtas, unlike the inventors of the current application, and the Assignee for Brodsky is Koninklijke Philips Electronics N.V., unlike the Assignee of the current application. Moreover, the inventors of Zhevelev are Boris Zhevelev, Mark Moldavsky, Michael Lahat, and Yaacov Kotlicki, unlike the inventors of the current application, and the Assignee of Zhevelev is Visonic Ltd., unlike the Assignee of the current application. Therefore, Applicants respectfully assert that the double patenting rejection with regards to Fiore, Brodsky, and Zhevelev is improper and should be withdrawn.

Even if, for the sake of argument, Fiore, Brodsky, and Zhevelev are appropriate secondary references for a double patenting rejection, by using Fiore, Brodsky, and Zhevelev in combination with the ‘995 application to assert the double patenting rejection, the Office Action appears to be asserting that the claims of the ‘995 application are somehow deficient in making obvious the claims of the current application and has to rely on Fiore, Brodsky, and Zhevelev to remedy allegedly those deficiencies. Thus, Applicants respectfully assert that the claims of the current application are patentably distinct from the current claims of the ‘995 application.

If the double patenting rejection is maintained in light of the '995 application, Applicants respectfully assert that the claims as amended in the current application are patentably distinct from the current claims of the '995 application and request withdrawal of the double patenting rejection. Since the claims of the current application and the '995 application have been amended through prosecution, Applicants respectfully request that the Examiner reconsider the double patenting rejection.

**B. Claim 10**

Claim 10 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6, 10-12, 16, and 18-20 of the '995 application in view of Fiore and further in view of Brodsky and Zhevelev as applied to claims 1-9, 11-14, and 18-19. This rejection is respectfully traversed.

For at least the reasons discussed above regarding claims 1-9, 11-14, and 18-19, Applicants respectfully assert that the double patenting rejection with regards to Fiore, Brodsky, and Zhevelev is improper and should be withdrawn. If the double patenting rejection is maintained in light of the '995 application, Applicants respectfully assert that the claims as amended in the current application are patentably distinct from the current claims of the '995 application. Therefore, Applicants respectfully request withdrawal of this double patenting rejection.

**C. Claims 15-17**

Claims 15-17 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6, 10-12, 16, and 18-20 of the '995 application in view of Brodsky and in view of Zhevelev and further in view of United States Patent Publication No. 2002/0069317 to Chow et al. (hereinafter "Chow"). This rejection is respectfully traversed.

For at least the reasons discussed above regarding claims 1-9, 11-14, and 18-19, Applicants respectfully assert that the double patenting rejection with regards to Brodsky and Zhevelev is improper and should be withdrawn. Additionally, the inventors of Chow are Yan Chiew Chow and James R. Hsia, unlike the inventors of the current application, and Chow does not appear to be assigned, unlike the current application which is assigned to BellSouth

Intellectual Property Corporation now doing business as AT&T Delaware Intellectual Property, Inc. Therefore, Applicants further respectfully assert that the double patenting rejection with regards to Chow is improper and should be withdrawn.

If the double patenting rejection is maintained in light of the '995 application, Applicants respectfully assert that the claims as amended in the current application are patentably distinct from the current claims of the '995 application. Therefore, Applicants respectfully request withdrawal of this double patenting rejection.

#### D. Claim 20

Claim 20 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6, 10-12, 16, and 18-20 of the '995 application in view of Fiore further in view of Brodsky and Zhevelev and further in view of United States Patent No. 6,785,905 to Nishioka et al. (hereinafter "Nishioka"). This rejection is respectfully traversed.

For at least the reasons discussed above regarding claims 1-9, 11-14, and 18-19, Applicants respectfully assert that the double patenting rejection with regards to Fiore, Brodsky and Zhevelev is improper and should be withdrawn. Additionally, the inventors of Nishioka are Hisao Nishioka, Takaaki Enomoto, Jun Ota, and Chisato Kisanuki, unlike the inventors of the current application, and the Assignee of Nishioka is Sony Corporation, unlike the current application. Therefore, Applicants further respectfully assert that the double patenting rejection with regards to Nishioka is improper and should be withdrawn.

If the double patenting rejection is maintained in light of the '995 application, Applicants respectfully assert that the claims as amended in the current application are patentably distinct from the current claims of the '995 application. Therefore, Applicants respectfully request withdrawal of this double patenting rejection.

### III. Claim Rejections Under 35 U.S.C. §103(a) Over Fiore, Krishnamurthy, Brodsky, and Zhevelev

Claims 1-7, 12-14, 18, and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fiore in view of United States Patent No. 6,496,607 to Krishnamurthy et al. (hereinafter "Krishnamurthy") in further view of Brodsky and in further view of Zhevelev. To the extent that

this rejection has not been rendered moot by the cancellation of claim 7, this rejection is respectfully traversed.

A. Claims 1-6 and 12-14 are allowable.

As amended, claim 1 recites that a video recorder comprises a loop buffer also storing at least one of the audio data and the video data of the event, the loop buffer also storing at least one of time-delayed audio data and time-delayed video data that precedes the event; and a set of rules stored in the memory, the set of rules specifying i) at least one of a region of interest and a region of disinterest within a single picture frame, ii) an occurrence that causes transfer of at least one of the time-delayed video data and the time-delayed audio data from the loop buffer to the memory, and iii) a first time and a second time, wherein if the occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at the first time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is transferred from the loop buffer to the memory, and if the occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at the second time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory. Support for the amendments to claim 1 may be found at least at paragraph [0029] of the specification.

Fiore does not teach, suggest, or describe a video recorder including the features recited in claim 1. On the contrary, Fiore describes a data recording and playback system operative to receive an event signal that triggers extraction of signal data from a circular storage buffer; extract the signal data from the circular storage buffer; and store the signal data into a file system. Fiore describes that the event signal that triggers extraction of the signal data from the circular storage buffer and storage into the file system is caused by an occurrence of an event, such as a sudden change in amplitude of an audio signal and/or a statistically significant change in brightness or color of a video signal, and/or when the signal data matches a reference signal.

This is not analogous to the video recorder recited in claim 1 because Fiore fails to teach, suggest, or describe that if the occurrence happens in at least one of a region of interest and a region of disinterest within a single picture frame at a first time, then the signal data is extracted from the circular storage buffer and stored in the filed system; and if the occurrence happens in

at least one of a region of interest and a region of disinterest within a single picture frame at a second time, then the signal data is not extracted from the circular storage buffer and stored in the file system. Instead, Fiore describes that the data recording and playback system extracts the signal data from the circular storage buffer and stores the signal data in the file system when an event happens, without teaching or suggesting any determination regarding whether the event happens in a region of interest or disinterest within a single picture frame of the signal data and also without any consideration regarding whether the event happens at a first time or a second time such that at a second time, the signal data is not extracted from the circular storage buffer and stored in the file system.

The Office Action relies on the teaching of Krishnamurthy to cure allegedly the deficiencies of Fiore. However, like Fiore, Krishnamurthy does not teach, suggest, or describe a video recorder including the features recited by claim 1. In contrast, Krishnamurthy describes an apparatus operative to classify regions of an image, based on the relative importance of various areas, and to allocate resources based on the importance information so that the important regions of the image are enhanced.

This is not analogous to the video recorder recited in claim 1 because Krishnamurthy fails to teach, suggest, or describe that the apparatus includes a set of rules specifying an occurrence that causes transfer of at least one of time-delayed video data and time-delayed audio data from a loop buffer to a memory and specifying a first time and a second time, wherein if the occurrence happens within at least one of a region of interest and a region of disinterest within a single picture frame at a first time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is transferred from the loop buffer to the memory, and if the occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at the second time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory. Instead, Krishnamurthy describes that the apparatus identifies regions of importance of an image and then enhances those regions, without teaching, suggesting, or describing that the apparatus includes a set of rules that specifies an occurrence that causes transfer of at least one of time-delayed video data and time-delayed audio data from a loop buffer to a memory and specifies a first time and a second time such that if the occurrence happens within at least one of a region of interest and a region of disinterest at the first time, then

the data is transferred from the loop buffer to the memory and if the occurrence happens within at least one of a region of interest and a region of disinterest at the second time, then the data is not transferred from the loop buffer to the memory.

The Office Action further relies on the teaching of Brodsky to cure allegedly the deficiencies of the combined teaching of Fiore and Krishnamurthy. However, like Fiore and Krishnamurthy, Brodsky does not teach, suggest, or describe a video recorder including the features recited in claim 1. On the contrary, Brodsky describes an apparatus for detecting the occurrence of a specific event including a camera operative to capture image data of a scene; and a processor operative to detect and track an object of interest in the data image, analyze features of the object of interest, compare the analyzed features with predetermined criteria indicative of a specific event, determine whether a specific event has occurred based on the comparison, and if the specific event has occurred, then output a result of the detection to, for instance, a central monitoring station.

This is not analogous to the video recorder recited by claim 1 because Brodsky fails to teach, suggest, or describe that the apparatus includes a set of rules specifying at least one of a region of interest and a region of disinterest within a single picture frame, an occurrence that causes transfer of at least one of time-delayed video data and time-delayed audio data from a loop buffer to memory, and a first time and a second time such that if the occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at the first time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is transferred from the loop buffer to the memory, and if the occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at the second time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory. Instead, Brodsky describes that once the specific event is determined to have happened, then the processor outputs a result of the detection, without teaching, suggesting, or describing that if the specific event is determined to have happened within at least one of a region of interest and a region of disinterest at a first time, then at least one of time-delayed video data and time-delayed audio data is transferred from a loop buffer to memory, and that if the specific event is determined to have happened within at least one of the region of interest and

the region of disinterest at a second time, then at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory.

The Office Action further relies on the teaching of Zhevelev to cure allegedly the deficiencies of the combined teaching of Fiore, Krishnamurthy, and Brodsky. However, like Fiore, Krishnamurthy, and Brodsky, Zhevelev does not teach, suggest, or describe a video recorder including the features recited in claim 1. In contrast, Zhevelev describes a system for motion detection including an incoherent detector operative to detect receipt of radiation and a motion detector operative to receive output from the incoherent detector and provide a motion detection output indicating receipt of radiation from an object moving between multiple fields of view. Zhevelev further describes that if the motion detection output exceeds certain thresholds, then an alarm output is provided, or in other embodiments, energy management circuitry receives the detection output and provides an energy management circuit output which can selectable operate lights and air conditioning apparatus.

This is not analogous to the video recorder recited in claim 1 because Zhevelev fails to teach, suggest, or describe that the system includes a set of rules specifying at least one of a region of interest and a region of disinterest within a single picture frame, an occurrence that causes transfer of at least one of time-delayed video data and time-delayed audio data from a loop buffer to memory, and a first time and a second time such that if the occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at the first time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is transferred from the loop buffer to the memory, and if the occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at the second time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory. Instead, Zhevelev describes that in response to a detected motion, lights and an air conditioning apparatus can be operated, and if the detected motion exceeds certain thresholds, then an alarm output is provided, without teaching or suggesting that in response to a detected motion within at least one of a region of interest and a region of disinterest within a single picture frame at a first time, then at least one of time-delayed video data and time-delayed audio data is transferred from a loop buffer to a memory, and if the occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame



at a second time, then at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory.

For at least the reasons given above, claim 1 is allowable over the combined teaching of Fiore, Krishnamurthy, Brodsky, and Zhevelev. Since claims 2-6 and 12-14 depend from claim 1 and recite further claim features, Applicants respectfully submit that claims 2-6 and 12-14 are also allowable over the combined teachings of Fiore, Krishnamurthy, Brodsky, and Zhevelev. Therefore, withdrawal of these rejections is respectfully requested.

Claims 2-6 and 12-14 are also allowable for additional reasons. In particular, as amended, claim 2 recites that the set of rules further specifies a first bitrate associated with the region of interest and a second bitrate associated with the region of disinterest, and wherein if the occurrence happens within the region of interest, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is transferred from the loop buffer to the memory at the first bitrate, and if the occurrence happens within the region of disinterest, the set of rules further specifies at least one of the time-delayed video data and the time-delayed audio data is transferred from the loop buffer to the memory at the second bitrate.

None of Fiore, Brodsky, or Zhevelev even mentions transferring data at a particular bitrate. Krishnamurthy describes that an identified important region of an image can be provided with a smaller quantization scale whereas regions of non-interest are provided with larger quantization scale so that the important region has an increased number of coding bits versus the non-interesting regions. However, this is not analogous to the video recorder recited by claim 2 because Krishnamurthy fails to teach, suggest, or describe that if an occurrence happens within the important region, then at least one of time-delayed video data and time-delayed audio data is transferred from a loop buffer to a memory at a first bitrate, and if the occurrence happens within the non-interesting regions, then the data is transferred from the loop buffer to the memory at a second bitrate. Krishnamurthy describes that only the important region of an image has increased number of coding, not the image itself, and Krishnamurthy fails to mention considering whether an occurrence happens in the important region or the non-interesting regions.

As amended, claim 3 recites that the set of rules further specifies another occurrence, wherein if the another occurrence is happening when the occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame, then the

set of rules further specifies that the another occurrence is stopped to verify that the occurrence is caused by the another occurrence. Fiore describes that signal data from a circular storage buffer is extracted and stored in a file system when an event happens, without teaching, suggesting, or describing that if another event is happening when the event happens, then the another event is stopped to verify that the event is caused by the another event. Similarly, none of Krishnamurthy, Brodsky, or Zhevelev teaches, suggests, or describes the recitations of claim 3. For at least these additional reasons, claims 2-6 and 12-14 are allowable over the combined teachings of Fiore, Krishnamurthy, Brodsky, and Zhevelev.

B. Claims 18 and 19 are allowable.

As amended, claim 18 recites that a video recorder comprises a loop buffer also storing at least one of the audio data and the video data of the event, the loop buffer also storing at least one of time-delayed audio data and time-delayed video data that precedes the event; and a set of rules stored in the memory, the set of rules specifying i) a first occurrence that causes transfer of at least one of the time-delayed video data and the time-delayed audio data from the loop buffer to the memory and ii) a second occurrence, wherein if the first occurrence happens, then the set of rules further specifies determining whether the second occurrence is also happening, and if the second occurrence is also happening, then the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio is not transferred from the loop buffer to the memory. Support for the amendments to claim 18 may be found at least at paragraph [0030] of the specification.

Fiore does not teach, suggest, or describe a video recorder including the features recited in claim 18. On the contrary, as discussed above, Fiore describes a data recording and playback system operative to receive an event signal that triggers extraction of signal data from a circular storage buffer; extract the signal data from the circular storage buffer; and store the signal data into a file system. Fiore describes that the event signal that triggers extraction of the signal data from the circular storage buffer and storage into the file system is caused by an occurrence of an event, such as a sudden change in amplitude of an audio signal and/or a statistically significant change in brightness or color of a video signal, and/or when the signal data matches a reference signal. This is not analogous to the video recorder of claim 18 because Fiore fails to teach, suggest, or describe that if the event occurs, then determining whether a second event is also

occurring, and if the second event is also occurring, then not extracting the signal data from the circular storage buffer and storing in the file system.

The Office Action relies on the teaching of Krishnamurthy to cure allegedly the deficiencies of Fiore. However, like Fiore, Krishnamurthy does not teach, suggest, or describe a video recorder including the features recited by claim 18. In contrast, Krishnamurthy describes an apparatus operative to classify regions of an image, based on the relative importance of various areas, and to allocate resources based on the importance information so that the important regions of the image are enhanced. Krishnamurthy fails to even mention that data is transferred in response to the happening of an occurrence. Therefore, it follows that Krishnamurthy fails to teach, suggest, or describe that if an occurrence is happening when another occurrence that causes transfer of data is also happening, then the data is not transferred.

The Office Action relies on the teaching of Brodsky to cure allegedly the deficiencies of the combined teaching of Fiore and Krishnamurthy. However, like Fiore and Krishnamurthy, Brodsky does not teach, suggest, or describe a video recorder including the features recited in claim 18. On the contrary, Brodsky describes an apparatus for detecting the occurrence of a specific event including a camera operative to capture image data of a scene; and a processor operative to detect and track an object of interest in the data image, analyze features of the object of interest, compare the analyzed features with predetermined criteria indicative of a specific event, determine whether a specific event has occurred based on the comparison, and if the specific event has occurred, then output a result of the detection to, for instance, a central monitoring station. Brodsky fails to even mention that the image data is transferred from a loop buffer to a memory in response to the happening of the specific event. Therefore, it follows that Brodsky fails to teach, suggest, or describe that if another event is happening when the specific event is also happening, then the image data is not transferred from the loop buffer to the memory.

The Office Action further relies on the teaching of Zhevelev to cure allegedly the deficiencies of the combined teaching of Fiore, Krishnamurthy, and Brodsky. However, like Fiore, Krishnamurthy, and Brodsky, Zhevelev does not teach, suggest, or describe a video recorder including the features recited in claim 18. In contrast, Zhevelev describes a system for motion detection including an incoherent detector operative to detect receipt of radiation and a motion detector operative to receive output from the incoherent detector and provide a motion

detection output indicating receipt of radiation from an object moving between multiple fields of view. Zhevelev further describes that if the motion detection output exceeds certain thresholds, then an alarm output is provided, or in other embodiments, energy management circuitry receives the detection output and provides an energy management circuit output which can selectable operate lights and air conditioning apparatus. Zhevelev fails to even mention that the motion detection output is transferred from a loop buffer to a memory in response to the motion detection. Therefore, it follows that Zhevelev fails to teach, suggest, or describe that if another event is happening when the motion that caused the motion detection is also happening, then the motion detection output is not transferred from the loop buffer to the memory.

For at least the reasons given above, claim 18 is allowable over the combined teaching of Fiore, Krishnamurthy, Brodsky, and Zhevelev. Since claim 19 depends from claim 18 and recites further claim features, Applicants respectfully submit that claim 19 is also allowable over the combined teachings of Fiore, Krishnamurthy, Brodsky, and Zhevelev. Therefore, withdrawal of these rejections is respectfully requested.

IV. Claim Rejections Under 35 U.S.C. §103 Over Fiore, Krishnamurthy, Brodsky, Zhevelev, and Official Notice #1

Claim 8 is rejected under 35 U.S.C. §103(a) as being unpatentable over Fiore, Krishnamurthy, Brodsky, Zhevelev, and Official Notice #1. In particular, the Examiner takes official notice that a mass-storage device is well known in the art. This rejection is respectfully traversed.

For at least the reasons given above, claim 1 is allowable over the combined teaching of Fiore, Krishnamurthy, Brodsky, and Zhevelev. Since claim 8 depends from claim 1 and recites additional features and since the Official Notice #1 fails to cure the deficiencies of the combined teaching of Fiore, Krishnamurthy, Brodsky, and Zhevelev, then Applicants respectfully assert that claim 8 is allowable over the combined teachings of Fiore, Krishnamurthy, Brodsky, Zhevelev, and the Official Notice #1. Accordingly, withdrawal of this rejection is respectfully requested.

V. Claim Rejections Under 35 U.S.C. §103 Over Fiore, Krishnamurthy, Brodsky, Zhevelev, and Official Notice #2

Claim 9 is rejected under 35 U.S.C. §103(a) as being unpatentable over Fiore, Krishnamurthy, Brodsky, Zhevelev, and Official Notice #2. In particular, the Examiner takes official notice that an optical storage device is well known in the art. This rejection is respectfully traversed.

For at least the reasons given above, claim 1 is allowable over the combined teaching of Fiore, Krishnamurthy, Brodsky, and Zhevelev. Since claim 9 depends from claim 1 and recites additional features and since the Official Notice #2 fails to cure the deficiencies of the combined teaching of Fiore, Krishnamurthy, Brodsky, and Zhevelev, then Applicants respectfully assert that claim 9 is allowable over the combined teachings of Fiore, Krishnamurthy, Brodsky, Zhevelev, and the Official Notice #2. Accordingly, withdrawal of this rejection is respectfully requested.

VI. Claim Rejections Under 35 U.S.C. §103 Over Fiore, Krishnamurthy, Brodsky, Zhevelev, and Official Notice #3

Claim 10 is rejected under 35 U.S.C. §103(a) as being unpatentable over Fiore, Krishnamurthy, Brodsky, Zhevelev, and Official Notice #3. In particular, the Examiner takes official notice that a memory card is well known in the art. This rejection is respectfully traversed.

For at least the reasons given above, claim 1 is allowable over the combined teaching of Fiore, Krishnamurthy, Brodsky, and Zhevelev. Since claim 10 depends from claim 1 and recites additional features and since the Official Notice #3 fails to cure the deficiencies of the combined teaching of Fiore, Krishnamurthy, Brodsky, and Zhevelev, then Applicants respectfully assert that claim 10 is allowable over the combined teachings of Fiore, Krishnamurthy, Brodsky, Zhevelev, and the Official Notice #3. Accordingly, withdrawal of this rejection is respectfully requested.

VII. Claim Rejections Under 35 U.S.C. §103 Over Fiore, Krishnamurthy, Brodsky, Zhevelev, and Official Notice #4

Claim 11 is rejected under 35 U.S.C. §103(a) as being unpatentable over Fiore, Krishnamurthy, Brodsky, Zhevelev, and Official Notice #4. In particular, the Examiner takes official notice that a flash memory storage device is well known in the art. This rejection is respectfully traversed.

For at least the reasons given above, claim 1 is allowable over the combined teaching of Fiore, Krishnamurthy, Brodsky, and Zhevelev. Since claim 11 depends from claim 1 and recites additional features and since the Official Notice #4 fails to cure the deficiencies of the combined teaching of Fiore, Krishnamurthy, Brodsky, and Zhevelev, then Applicants respectfully assert that claim 11 is allowable over the combined teachings of Fiore, Krishnamurthy, Brodsky, Zhevelev, and the Official Notice #4. Accordingly, withdrawal of this rejection is respectfully requested.

VIII. Claim Rejections Under 35 U.S.C. §103 Over Fiore, Krishnamurthy, Brodsky, Zhevelev, and Chow

Claims 15-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fiore, Krishnamurthy, Brodsky, Zhevelev, and United States Patent Publication No. 2002/0069317 to Chow et al. (hereinafter "Chow"). This rejection is respectfully traversed.

For at least the reasons given above, claim 1 is allowable over the combined teaching of Fiore, Krishnamurthy, Brodsky, and Zhevelev. Since claims 15-17 depend from claim 1 and recite additional features, Applicants respectfully assert that claims 15-17 are allowable over the combined teaching of Fiore, Krishnamurthy, Brodsky, and Zhevelev. In addition, Chow fails to cure the deficiencies of the combined teaching of Fiore, Krishnamurthy, Brodsky, and Zhevelev. In particular, Chow describes a memory system for storing, manipulating, processing, and transferring data in a memory subsystem including a management module and a memory matrix module that are configured to store, manipulate, and retrieve data based on a property of the data to reduce the time for a program running on a data processing system to access data stored in the memory system. However, like Fiore, Krishnamurthy, Brodsky, and Zhevelev, Chow fails to teach, suggest, or describe that the memory system includes a set of rules specifying an occurrence that causes transfer of at least one of time-delayed video data and time-delayed audio

data from a loop buffer to the memory and specifying a first time and a second time, wherein if the occurrence happens within at least one of a region of interest and a region of disinterest within a single picture frame at a first time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is transferred from the loop buffer to the memory, and if the occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at the second time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory. For at least these reasons, claims 15-17 are allowable over the combined teaching of Fiore, Krishnamurthy, Brodsky, Zhevelev, and Chow.

Moreover, the combined teaching of Fiore, Krishnamurthy, Brodsky, Zhevelev, and Chow fails to teach, suggest, or describe the recitations of claims 15-17. Each of claims 15-17 recite metadata that provides a description of a rule that caused the video data to be stored in the memory. The Office Action notes that Fiore, Krishnamurthy, Brodsky, and Zhevelev each fails to teach the recitations of claims 15-17 and relies on the teaching of Chow to cure allegedly the deficiencies of Fiore, Krishnamurthy, Brodsky, and Zhevelev. However, like the other references, Chow fails to describe the recitations of claims 15-17. Instead, Chow describes that the management module uses an XML metadata tag that describes a type of data of a particular quantity of data to determine where to place the data. This is not analogous to the recitations of claims 15-17 because Chow fails to teach, suggest, or describe that the metadata tag describes a rule that caused the data to be stored in the memory. For at least these further reasons, claims 15-17 are allowable over the combined teachings of Fiore, Krishnamurthy, Brodsky, Zhevelev, and Chow.

#### IX. New Claim 21

New claim 21 is added to recite further features described in the current application. Support for new claim 21 may be found at least at paragraph [0030] of the specification.

New claim 21 is allowable over the cited art because none of the cited art teaches, suggests, or describes a set of rules that specifies that a second occurrence is stopped to verify that a first occurrence is caused by the second occurrence, if the second occurrence is happening when the first occurrence happens.

**CONCLUSION**

For at least these reasons, Applicants assert that the pending claims 1-6 and 8-21 are in condition for allowance. Applicants further assert that this response addresses each and every point of the final Office Action, and respectfully request that the Examiner pass this application with claims 1-6 and 8-21 to allowance. Should the Examiner have any questions, please contact Applicants' attorney at 404.815.1900.

Respectfully submitted,

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